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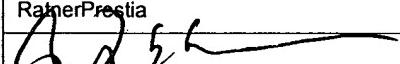
Total Number of Pages in This Submission

Application Number	10/644,307
Filing Date	August 20, 2003
First Named Inventor	Mark Dennis Aler et al.
Art Unit	3753
Examiner Name	John K. Ford
Attorney Docket No.	ITFT-PBG104US

ENCLOSURES (Check all that apply)

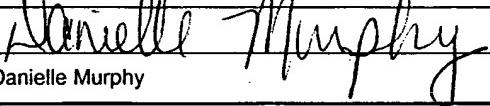
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement; Return postcard
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm Name	RatnerPrestia		
Signature			
Printed Name	Joseph E. Maenner		
Date	September 22, 2005	Registration No.	41,964

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or Printed Name	Danielle Murphy	Date	September 22, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*O I P E IAP/12
SEP 26 2005
PATENT & TRADEMARK OFFICE*

Appln. No: 10/644,307
Applicant: Mark Dennis Aler et al.
Filed: August 20, 2003
Title: FLUID HEAT EXCHANGE CONTROL SYSTEM
TC/A.U.: 3753
Examiner: John K. Ford
Confirmation No.: 6030
Docket No.: ITFT-PBG104US

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

This is in response to the Restriction Requirement stated in the Office Letter dated **August 23, 2005**.

The Examiner requires that claims of either Group I or Group II be elected for prosecution. Applicants elect to prosecute Group I, claims 1-9. This election is made without traverse.

Further, the Examiner requires that a single species of Group I be elected if no generic claim is finally held to be allowable. The Examiner currently believes that elected claim 1 may be generic with regard to how much of the control system is common to Figures 1-3. Further, the Examiner stated that the claims are directed to patentably distinct species of inventions, namely: first species of Figure

1; second species of Figure 2; and third species of Figure 3. Applicants elect the first species, with claims 1-9 being readable on the first species. This election is made without traverse.

Respectfully submitted,



Robert P. Seitter, Reg. No. 24,856
Joseph E. Maenner, Reg. No. 41,964
Atorneys for Applicants

JEM/dlm

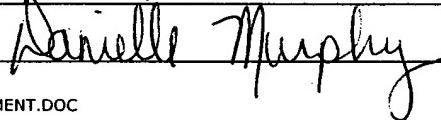
Dated: September 22, 2005

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September 22, 2005



Danielle Murphy

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